

**WEST HANOVER TOWNSHIP
DAUPHIN COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2020-39

**RESOLUTION BY THE BOARD OF SUPERVISORS OF WEST HANOVER TOWNSHIP, DAUPHIN
COUNTY, PENNSYLVANIA, ESTABLISHING THE REIMBURSEMENT FOR COSTS OF 2020 PIERCE
ENFORCER PUMPER TANKER.**

WHEREAS, on January 31, 2020, the Township of West Hanover ("Township") entered into a Purchase Agreement with Glick Fire Equipment Company, Inc., Costars Contract # 013-055, for the capital acquisition of one 2020 Pierce Enforcer Pumper Tanker Fire Truck (the "Project"); and

WHEREAS, the Township intends to issue non-electoral debt for the purpose of financing the Project in an amount not to exceed \$895,000; and

WHEREAS, the general obligation, non-electoral debt in the amount not to exceed \$895,000 is intended to be excluded from gross income for federal income tax purposes pursuant to the Internal Revenue Code of 1986, as amended and supplemented (the "Code")(the "Financing"); and

WHEREAS, the Township intends to issue the Financing in accordance with the Local Government Unit Debt Act; and

WHEREAS, the Township desires to declare its official intent to reimburse itself from the proceeds of tax exempt obligations to be issued by the Township for certain expenditures relating to the Project including cost of issuance (the "Project Expenditures"); and

WHEREAS, the Township intends to use its General Fund Accounts to be applied toward payment of Project Expenditures for which the Township expects to be reimbursed; and

WHEREAS, the Township, in compliance with the Code, desires to declare its official intention to reimburse Project Expenditures for the Project with proceeds of the Financing; and

WHEREAS, the Township authorizes and directs Township officials and the Township Solicitor to do and take certain actions in furtherance of the issuance of the Financing for the Project; and

NOW THEREFORE, BE IT RESOLVED, by the Supervisors of the Township of West Hanover Township, Dauphin County, Pennsylvania, as follows:

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1. The above recitals are incorporated herein and made a part hereof. The Financing of the Project is approved for action as set forth in this Resolution and in accordance with applicable federal and state law. It is the intent of the Township to undertake the Project and the Financing. The Project is for the capital acquisition of one 2020 Pierce Enforcer Pumper Tanker Fire Truck.

2. The reasonably expected source of funds that will be used to pay the Project Expenditures are the Township's General Fund Accounts, which the Township reasonably expects to reimburse from proceeds of the Financing. All Project Expenditures to be reimbursed will be permitted expenditures under the Code including, but not limited to, Project Expenditures or costs of issuance with respect to the Financing. The Project Expenditures made by the Township which are to be reimbursed in accordance with the intent of this Resolution relate to the expenditures deemed reasonably necessary for the Project prior to the Financing.

3. This Resolution constitutes a declaration of official intent, under the United States Treasury Regulations, 26 C.F.R. §1.150-2, to reimburse the Township for expenditures made with respect to eligible costs of the Project. This official intent encompasses payment of Project Expenditures made not more than sixty (60) days prior to the date of adoption of this Resolution and thereafter, for which the Township reasonably expects to reimburse itself from proceeds of a tax-exempt obligation.

4. To the extent that a specific designation is to be made for each Project Expenditure paid from Township funds for which a reimbursement allocation will be made under authority of this Resolution, the appropriate officers of the Township shall designate such expenditures and specify the amount of each expenditure.

5. The Township shall allocate the proceeds from the Financing to reimburse a Project Expenditure by making the allocation on its books and records maintained with respect to the Financing. Such allocation shall specifically identify the actual Project Expenditures to be reimbursed. Such allocation shall occur not earlier than the date on which the Project Expenditure is paid and not later than eighteen (18) months after the later of: (a) the date on which the Project Expenditure was paid; or (b) the date on which the Project was placed in service, but in no event more than three (3) years after the Project Expenditure was paid.

6. The proceeds from the Financing used to reimburse the Project Expenditures will not be used for any of the following purposes: (a) within one (1) year of the date of the reimbursement allocation to "refund" another issue of tax-exempt obligations within the meaning of Section 148 of the Code; (b) within one (1) year of the date of the reimbursement allocation to create or increase the balance in a "sinking fund"; (c) within one (1) year of the date of reimbursement allocation to create or increase the balance in a "reserve or replacement fund" within the meaning of the Code with respect to any tax-exempt obligation; and (d) to

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reimburse any person or entity of the Township for any expenditure or any payment with respect to financing an expenditure that was originally paid with proceeds of any tax-exempt obligation.

7. Township officials acting through its officers shall prepare a financing plan for the Project.

8. The authorization granted in this Resolution shall include authorization to prepare such financial and legal documents necessary and proper under federal and state law and customary in issuing tax-exempt, general obligation debt. Township officials and the Township solicitor are authorized and directed to take such action as is necessary and proper to fulfill the obligations imposed by this Resolution.

9. The Township approves, ratifies and confirms all action heretofore taken by officers and other persons on behalf of the Township in connection with the undertakings herein contemplated.

10. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the Township that such remainder shall be and shall remain in force and effect.

11. This Resolution shall become effective immediately, and all resolutions or parts of resolutions inconsistent herewith are expressly repealed.

DULY ADOPTED, this 3rd day of February 2020, by the Board of Supervisors of West Hanover Township, Dauphin County, Pennsylvania, in lawful session duly assembled.

ATTEST:

WEST HANOVER TOWNSHIP
BOARD OF SUPERVISORS
DAUPHIN COUNTY, PENNSYLVANIA


Donald Steinmeier, Secretary/Treasurer
(SEAL)


Stacey Connors, Chair

